

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 65)

Complete if Known

Application Number 10/521,063
Filing Date January 11, 2005
First Named Inventor LYE, WHY-KEI
Examiner Name Unassigned
Art Unit Unassigned
Attorney Docket No. 021764-000720US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|--------------|----------|--------------|----------|------------------|----------|----------------|
| | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity | Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Small Entity | |
|---|--------------|----------|
| | Fee (\$) | Fee (\$) |
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent | 50 | 25 |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)** **Multiple Dependent Claims**
 -20 or HP = _____ x _____ = _____
 Fee (\$) Fee Paid (\$)
 HP = highest number of total claims paid for, if greater than 20
Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**
 -3 or HP = _____ x _____ = _____
 HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**
 - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

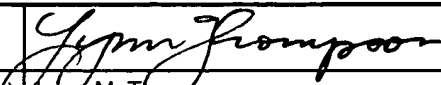
Non-English Specification, \$130 fee (no small entity discount)

Other: Late Declaration Surcharge

Fees Paid (\$)

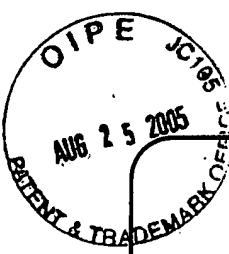
65

SUBMITTED BY

| | | | |
|-------------------|---|--|------------------------|
| Signature |  | Registration No. (Attorney/Agent) 47,991 | Telephone 650-326-2400 |
| Name (Print/Type) | Lynn M. Thompson | | Date August 23, 2005 |

60570201 v1

09/01/2005 ATRAM 00000131 201430 10521063
01 FC:2617 65.00 DA



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

10/521,063

Filing Date

January 11, 2005

First Named Inventor

LYE, WHY-KEI

Art Unit

Unassigned

Examiner Name

Unassigned

Attorney Docket Number

021764-000720US

ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/ Incomplete Application



Reply to Missing Parts under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a Provisional Application



Power of Attorney, Revocation Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board of Appeals and Interferences



Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify below):

Copy of Notification of Missing Requirements ...

Copy of Declaration

Return Postcard

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Lynn M. Thompson

Date

August 23, 2005

Reg. No.

47,991

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

JoAnn Evangelista

Date

August 23, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

021764-000720US
LMT, PA

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/521,063 | Whye-Kei Lye | 021764-000720US |

| | |
|-------------------------------|--|
| INTERNATIONAL APPLICATION NO. | |
| PCT/US03/21611 | |

| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 07/11/2003 | 07/11/2002 |

Townsend and Townsend and Crew
Lynn M. Thompson
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834

CONFIRMATION NO. 6849
371 FORMALITIES LETTER
OC000000016773295
OC000000016773295

Response Due 10/15/05

Date Mailed: 08/15/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/11/2005
- Copy of the International Search Report filed on 01/11/2005
- Information Disclosure Statements filed on 05/19/2005
- U.S. Basic National Fees filed on 01/11/2005
- Priority Documents filed on 01/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/521,063 | PCT/US03/21611 | 021764-000720US |


PCT REQUEST

Original (for SUBMISSION) - printed on 11.07.2003 03:05:45 PM

| | | |
|----------------|--|---|
| VIII-4-1 | <p>Declaration: Inventorship (only for the purposes of the designation of the United States of America) Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv)) for the purposes of the designation of the United States of America:</p> | <p>I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.</p> <p>This declaration is directed to the international application of which it forms a part (if filing declaration with application).</p> <p>I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.</p> |
| VIII-4-1 -1 | Prior applications: | |


PCT REQUEST

Original (for SUBMISSION) - printed on 11.07.2003 03:05:45 PM

| | | |
|--|---|--|
| | | <p>I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> |
| VIII-4-1 -1-1 VIII-4-1 -1-2 VIII-4-1 -1-3 VIII-4-1 -1-4 VIII-4-1 -1-5 VIII-4-1 -1-6 | Name: Residence: (city and either US State, if applicable, or country) Mailing address: Citizenship: Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent) Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application) | LYE, Whye-Kei Charlottesville, Virginia 1060 Ramblewood Place SG  9/22/03 |

PCT REQUEST

Original (for SUBMISSION) - printed on 11.07.2003 03:05:45 PM

| | | |
|------------------|--|--|
| VIII-4-1 -2-1 | Name: | REED, Michael, L. |
| VIII-4-1 -2-2 | Residence: (city and either US State, if applicable, or country) | Charlottesville, Virginia |
| VIII-4-1 -2-3 | Mailing address: | 2181 Whippoorwill Road |
| VIII-4-1 -2-4 | Citizenship: | US |
| VIII-4-1 -2-5 | Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent) |  |
| VIII-4-1 -2-6 | Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application) | 9/22/03 |
| VIII-4-1 -3-1 | Name: | WHOLEY, Mark, H. |
| VIII-4-1 -3-2 | Residence: (city and either US State, if applicable, or country) | Oakmont, Pennsylvania |
| VIII-4-1 -3-3 | Mailing address: | 816 Woodland Avenue |
| VIII-4-1 -3-4 | Citizenship: | US |
| VIII-4-1 -3-5 | Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent) | |
| VIII-4-1 -3-6 | Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application) | |

PCT REQUEST

Original (for SUBMISSION) - printed on 11.07.2003 03:05:45 PM

| | | |
|------------------|--|---------------------------|
| VIII-4-1 -2-1 | Name: | REED, Michael, L. |
| VIII-4-1 -2-2 | Residence: (city and either US State, if applicable, or country) | Charlottesville, Virginia |
| VIII-4-1 -2-3 | Mailing address: | 2181 Whippoorwill Road |
| VIII-4-1 -2-4 | Citizenship: | US |
| VIII-4-1 -2-5 | Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent) | |
| VIII-4-1 -2-6 | Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application) | |
| VIII-4-1 -3-1 | Name: | WHOLEY, Mark, H. |
| VIII-4-1 -3-2 | Residence: (city and either US State, if applicable, or country) | Oakmont, Pennsylvania |
| VIII-4-1 -3-3 | Mailing address: | 816 Woodland Avenue |
| VIII-4-1 -3-4 | Citizenship: | US |
| VIII-4-1 -3-5 | Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent) | <i>Mark H. Wholey</i> |
| VIII-4-1 -3-6 | Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application) | <i>8/27/03</i> |